

REMARKS

Initially, applicant would like to thank Examiner Mahi for the helpful and courteous telephonic interviews he conducted with one of applicant's representative on 20 and 21 March 2006. During the interview of 21 March 2006, the merits of the claimed invention relative to the art of record were discussed, and an agreement was reached that by adopting the Examiner's suggestions as indicated in the Office Action of 22 December 2005, i.e., by incorporating allowable subject matter of claim 3 (now cancelled) in claims 1 and 7, places the application in condition for allowance.

Upon entry of the present Amendment-B, claims 1-8 will be pending in the present application, of which claims 1, 2 and 7 are independent; and of which claim 2 is allowed. Claims 1, 6 and 7 have been amended, and claim 3 has been canceled without prejudice.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment-B is submitted. It is contended that by the present amendment, all bases of objections and rejections set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the objections and rejections is respectfully requested.

Amendments

In the above amendments: each of claims 1 and 7 has been amended to include allowable subject matter of claim 3 (cancelled in the present amendment). Therefore, claims 1 and 7, as amended, are believed to be in condition for allowance.

Claim 6 has been amended to depend from claim 4.

Applicant respectfully submits that the above amendments are fully supported by the original disclosure including drawings, and that no new matter is introduced into the application

by the above amendments. Accordingly, it is respectfully requested that the objections and rejections be reconsidered and withdrawn.

Claim Objections

In the Office Action, the Examiner objected to claim 6 under 37 CFR 1.75 (b) as being duplicate of claim 5.

Applicant's Response:

As stated above, applicant has amended claim 6 to depend from 4 (having allowable subject matter) to over overcome objection thereof under 37 CFR 1.75 (b). Claim 6, as amended, is believed to be in allowable form. Therefore, applicant requests consideration and withdrawal of the objection of claim 6 under 37 CFR 1.75 (b).

Claim Rejections

In the Office Action, the Examiner rejected claims 1 and 7 under 35 USC §102(b) as being allegedly anticipated by Breed et al. (US 6,065,185).

According to the Examiner's interpretation, Breed et al. disclose the claimed invention. In his rejection, the Examiner states that Breed et al. has a case 170, a check plate 116, a shoe holder 181, a shoe 130, a check spring 150, and a return spring 140, a high friction surface 134, and a low friction surface 115.

Applicant's Response:

Upon careful consideration and in light of the above amendments, applicant respectfully submits that the rejection is overcome, and each of claims 1 and 7 is patentably distinct over the disclosure of Breed et al. for several reasons, including those presented in previous Amendment-A of 25 October 2005, and including those given below.

For example, applicant notes that Breed et al. disclose a detent cam 130 having a rigid

surface with a varying radius about its rotation axis that engages a strip member 116; the strip member 116 having a coating of a polymeric or other non-metallic material on those surfaces that engage the cam 130; that either a second detent cam member or a support member 160 is provided on the opposite side of the strip member 116 from the first cam member 130; and that a strip surface and an external surface of the detent cam 130 are thus formed of dissimilar materials (col. 5, lines 62-67). However, they fail to disclose the shoe comprising a first segment having a high frictional surface and a second segment having a low frictional surface for sliding, as required by claim 1.

Further, the detent cam 130 of Breed et al. includes an integral cam shaft 132 and a profile around its circumference composed of plurality of sections (portions) 134, 135, 136, 137 and 138 (FIG. 3). The cam 130 interacts with the strip member 116 pressing it against the support member 160 with varying amounts of force depending on the rotational position of the cam 130. When the cam 130 is in the totally checked position (Figs. 2, 4A and 5), i.e., when the cam profile portion 134 is at the maximum radial distance from the cam shaft 132 a sufficient force must be applied to the strip member 116 to cause the cam 130 to rotate by further compressing spring 150 to either further open or close the door, since edges 134A and 134B of the cam profile portion 134 are at a larger radial distance from the cam shaft 132. Also, the force applied to the strip member 116 must be additionally sufficient to overcome the frictional force exerted by support member 160 against strip member 116. Thus, as also supported by mathematical analysis provided in Appendix of their disclosure, depending on the profile defined by the section 134, 135, 136 and 137 of the cam and distances thereof from the cam shaft 132 allows the cam 130 to move in detenting/non-detenting positions.

In contrast, in the present invention, the shoe presses a first segment having a high frictional surface against the check plate by means of urging force of check spring thereby

generating a substantially large frictional force between the shoe and the check plate and holding the door in a stationary position. Applying a required force to open or close the door allows the shoe to move from the first segment to a second segment having a low frictional surface thereby decreasing a frictional force between the shoe and the check plate, and allowing the door to be opened or closed relatively lightly.

Thus, the claimed invention is structurally and functionally different from the applied reference. It is the Examiner's presumption that a surface of the section 134 of the cam 130 of Breed et al. is a high frictional surface because the disclosure fails to teach the surface of the section 134 being a high frictional surface. Therefore, claim 1 is clearly patentably distinct over the applied reference.

Regarding claim 7, it appears that the Examiner has misinterpreted the disposition of the strip member 116 in a housing 170 of Breed et al. because as shown in Fig. 2 of their disclosure, the strip member 116 is provided between the support member 160 and the cam 130 at one end of the housing 170, as further shown in Figs. 3, 4A-4C and 5. Thus, Breed et al. fail to disclose a check plate operatively situated in a center of the case dividing the case into two halves, as recited in claim 7.

Thus, in view of the above analysis, each of claims 1 and 7 is patentably distinct over the applied reference of Breed et al.

However, in order to expedite prosecution of the application and to place the application in condition for allowance, applicant adopted the suggestions of the Examiner by amending claims 1 and 7 to include allowable subject matter of claim 3 (cancelled in the present amendment).

For all of the foregoing reasons, applicant requests consideration and withdrawal of the rejection of claims 1 and 7 under 35 USC § 102(b).

Conclusion

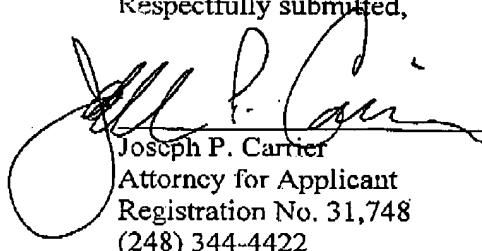
Applicant respectfully submits that all of the above amendments are fully supported by the original application and do not introduce any new matter into the application because the amendments merely include allowable subject matter of previously presented claim 3.

Based on all of the foregoing, applicant respectfully submits that all of the objections and rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination. Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

Entry of the present Amendment-B is respectfully requested under 37 CFR 1.116 on the grounds that: the amendment does not raise any new issues for consideration by the Examiner, but instead merely adopts the suggestions of the Examiner outlined in the Office Action of 22 December 2005, by amending claims to include allowable subject matter and therefore, the present amendment is believed to place the application in condition for allowance.

Favorable consideration is respectfully requested.

Respectfully submitted,



Joseph P. Cartier
Attorney for Applicant
Registration No. 31,748
(248) 344-4422

Customer No. 21828
Carrier, Blackman & Associates, P.C.
24101 Novi Road, Suite 100
Novi, Michigan 48375
21 March 2006

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via facsimile to the US Patent & Trademark Office, Art Unit 3677, at the fax number (571) 273-8300, on 21 March 2006.



JPC/fs